PTO/SB/25 (04-07)

Approved for use through 09/30/2007.

1

Under the Paperwork Reduction Act of 199	95. no persons are required to re-	U.S. Patent and Trademark Office; spond to a collection of information unless it	U.S. DEPARTMENT OF COMMERCE displays a valid OMB control number.
TERMINAL DISCLAIMER TO C			Docket Number (Optional)
REJECTION OVER A			TAN-2-1401.07.us
In re Application of: Gorsuch et al.	-		- · · · · · · · · · · · · · · · · · · ·
Application No.: 10/776,558			
Filed: February 11, 2004			
FOF: DYNAMIC BANDWIDTH ALLOCATION TO	TRANSMIT A WIRELESS PROT	TOCOL ACROSS A CODE DIVISION MULTI	PLE ACCESS (CDMA) RADIO LINK
The owner*, InterDigital Technolog except as provided below, the terminal pathe expiration date of the full statutory terr on February 11, 2004, as such terr application may be shortened by any term hereby agrees that any patent so granted granted on the reference application are binding upon the grantee, its successors of	irt of the statutory term of an n of any patent granted on p m is defined in 35 U.S.C. 15 inal disclaimer filed prior to to on the instant application shi commonly owned. This agr	y patent granted on the instant applict anding reference Application Number 64 and 173, and as the term of any p re grant of any patent on the pending a latt be enforceable only for and during a	ation which would extend beyond 10/776,424 , filed atent granted on said reference reference application. The owner such period that it and any patent
In making the above disclaimer, the own extend to the expiration date of the full application, "as the term of any patent grant of any patent on the pending referer expires for failure to pay a maintenance fe in whole or terminally disclaimed under 37 terminated prior to the expiration of its full	statutory term as defined is anted on said reference application," in the event e, is held unenforceable, is for CFR 1.321, has all claims of	n 35 U.S.C. 154 and 173 of any pa filcation may be shortened by any ter that: any such patent: granted on the p bund invalid by a court of competent juri anceled by a reexamination certificate	stent granted on sald reference minal disclaimer filed prior to the sending reference application: isolicition, is statutorily disclaimed , is reissued, or is in any manner
Check either box 1 or 2 below, if appropria	ite.		
For submissions on behalf of a buetc.), the undersigned is empower		rporation, partnership, university, gove siness/organization.	mment agency,
I hereby declare that all stateme belief are believed to be true; and further made are punishable by fine or imprisonr statements may jeopardize the validity of t	that these statements were ment, or both, under Section	1001 of Title 18 of the United States	false statements and the like so
2. The undersigned is an attorney or	r agent of record. Reg. No.	43,593	
	Signature		7 6/2007 Opto
		John C. Donch Jr.	
		Typed or printed name	
V	•	•	215-568-6400 Telephone Number
Terminal disclaimer fee under 37 CFF	3.4.00(4) (-11-4-4		- Gaphone Halliber
Terminal disclaimer fee under 37 CFF	R 1.20(d) is included.		
		ome public. Credit card information of dinformation and authorization on F	

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on including gathering, preparing and submitting the complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			10-Jul-07	APPL. S. N:	10776558				
To Exami	ner:		CONTEE, JOY	Art Unit	2617				
From			Gunter-Riley, Joyce PARALEGAL SPCECIALIST	Return This Memo To: Cas Drop-Off Location	e JEF-2D68				
SUBJECT	r: Decisio	n on Ter	minal Disclaimer(T.D.) filed:						
form para or have a	agraphs i	dentified ions, ple	by this informal memo in your ase see me or the Special Progr	the results as set forth below. If yonext Office action to notify application Examiner. THIS IS AN INFORMED OF RECORD IN THE APPLICATION	nt of the T.D. If you disagree AL, INTERNAL MEMO ONLY.				
please in	itial, date	and retu	urn this memo to me. THANK YO	ou.					
☑	The T.D.	is PROP	ER and has been recorded (see	14.23).					
	The T.D.	is NOT P	ROPER and has not been accep	ted for the reason(s) checked belo	w (see 14.24):				
		The TD fee ofhas not been submitted nor is there any authorization in the application file for the use of a deposit account							
		his/her i	nterest (and/or the extent of th	s not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of st (and/or the extent of the interest of the business entity represented by the signature) tion/patent (see 14.26 & 14.26.01).					
	\Box	The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).							
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).							
		The person who signed the T.D.:							
			is not an attorney "of record"	(see 14.29 and 14.29.01).					
			has failed to state his/her capa	acity to sign for the business entity	(see 14.28).				
			is not recognized as an officer	of the assignee (see 14.29 & poss	ible 14.29.02).				
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).							
		The T.D. is not signed (see 14.26 & 14.26.03).							
	П		number of the application (or the number of the patent) which forms the basis for the double ejection is missing or incorrect (see 14.32).						
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).							
		The peri	od disclaimed is incorrect or no	t specified (see 14.26, 14.27.02 or	14.26.03).				
		Other:			-]			
			ion to request refund (see 14.3 not check this item.	6). NOTE: If already authorized, cr	edit refund to deposit account	:			
I have ap	propriate	ly notifie	d applicant(s) of the status of t	he Terminal Disclaimer filed in this	case.				
Ex.Initial:	s:		Date:		Log Date:				